

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Figure 2. This attached sheet, which includes Figures 1 and 2, replaces the original sheet including Figures 1 and 2.

In Figure 2, two of the reference numbers 16, each pointing to the groove along the shared contour between the token 15 and the body of the L-shaped residual portion of the body, are amended as reference numbers 22. A third reference number 16, pointing to a groove between the microcircuit card 11 and the L-shaped residual portion of the body, is amended as reference number 20.

Additionally, reference numbers 11 and 15, and corresponding leader lines, are added to Figure 2 consistent with reference numbers 11 and 15 of Figure 1.

Attachment: Replacement Sheet

REMARKS

The application has been amended and is believed to be in condition for allowance.

Amendments to the Disclosure

The specification is amended to include section headings, in accordance with U.S. Practice. The amendments to the specification do not introduce new matter.

The drawing figures are amended to correct for a typographical error with respect to the reference character 16. In particular, two of the reference numbers 16 in Figure 2, each pointing to the groove along the shared contour between the token 15 and the body of the L-shaped residual portion of the body, are amended as reference numbers 22. A third reference number 16, pointing to a groove between the microcircuit card 11 and the L-shaped residual portion of the body, is amended as reference number 20.

The specification is further amended in a manner consistent with the amendments to the drawings.

Additionally, reference numbers 11 and 15, and corresponding leader lines, are added to Figure 2 consistent with reference numbers 11 and 15 of Figure 1.

No new matter is introduced by way of these amendments to the specification and the drawing figures.

Claim 1 is amended to incorporate the subject matter of claims 2, 9, and 11. Claims 2, 9, 11, 16-17, and 19 are canceled, without prejudice.

The claims are further amended to address antecedent basis issues and to address formal matters in consideration of U.S. practice and preferences.

The amendments to the claims do not introduce new matter.

New claims 21-23 are independent. New claims 24-28 depend from claim 1.

The new claims find support in the specification and the drawing figures as originally filed (e.g., page 2 line 14 to page 3 line 9; page 3, lines 27-35; page 4, lines 1-6; Figures 1-3) and do not introduce new matter.

Formal Issues - Claim Objections

The Official Action objected to claims 4, 7, 8, and 14 based on antecedent basis issues.

In reply, claims 4, 7, 8 and 14 are amended responsive to the Official Action's objections. Withdrawal of the objections to the claims is thereby earnestly solicited.

Substantive Issues - Section 102

The Official Action rejected claims 1-8, 13-14, and 16 under 35 USC 102(b) as being anticipated by Lind et al. (WO 02/066226; "LIND").

The Official Action rejected claims 1-3, 5-9, 13, and 16 under 35 USC 102(b) as being anticipated by Nishikawa et al. (US 5,581,065; "NISHIKAWA").

The rejections are respectfully traversed for at least the reasons that follow.

The card of claim 1, as amended, comprises a microcircuit card together with an adjacent precut token, the token extending to a corner of the card and provided with a hole for a key-ring and also carrying visual information.

This is neither taught nor suggested by the cited prior art. For example, LIND discloses a device comprising an optical disc with a detachable module. The optical disk of this reference is clearly distinguishable from a token with visual (e.g., human-readable) information, and further, provided with a hole configured to receive and pass through a key-ring so that this token may be carried by a key-ring.

An optical disk is certainly not configured to receive and pass through a key-ring without being destroyed. Further, the Official Action, at the third paragraph of page 7, concedes that the optical disk of LIND does not teach carrying visual information.

As to the NISHIKAWA reference, the Official Action asserts that Figure 21A of same anticipates former claim 1. However, for similar reasons to those set forth above as to LIND in connection with an optical disk, it is respectfully submitted

that none of the microcircuit card of NISHIKAWA teaches or suggests a hole such as recited in claim 1 configured to be carried by a key-ring.

It is further noted that the Official Action offers elements 11A and 11B of Figure 21A as teaching a token and a micro-circuit card. Applicant respectfully disagrees. Figures 21A-22B clearly teach that elements 11A and 11B are identical IC carriers with IC modules 12A and 12B mounted therein (column 16 line 8 to column 17 line 48). NISHIKAWA teaches no distinguishing characteristics between these two IC modules, and nothing to suggest one of them is token carrying visual information and including a hole as recited by amended claim 1.

Moreover, it is respectfully submitted that NISHIKAWA fails to teach or suggest a token extending up to a corner of the card body, as required by claim 1 as amended. On the contrary, NISHIKAWA clearly teaches each of elements 11A and 11B of Figures 21A and 22A stopping well short of any corner of the body.

It is therefore respectfully submitted that claim 1 is not anticipated, and therefore patentable, over both LIND and NISHIKAWA.

It is also respectfully submitted that claims depending from claim 1 are novel and patentable over LIND and NISHIKAWA at least for depending from a patentable parent claim.

For example, claims 3, 4, and 28 recite a configuration where the token extends to only one corner of the card body.

This feature, as recited in claims 3 and 28, is neither taught nor suggested by the cited references. The recitation of claim 4 provides an optimum use of the area of the card body for providing the microcircuit body and token, while compatible with the rigidity provided by the configuration of claim 3 (see specification, lines 28 to 35 of page 2 and lines 1 to 9 of page 3).

The recitations of claims 10 and 18 provide the token with storing means which are not compatible with, for example, an optical disk.

Claim 12 recites the hole being in a corner of the token in the vicinity of the microcircuit card. This recitation is clearly contrary to the disk taught by LIND, for example.

Claims 24 to 27 recite features particular to the visual information, which further distinguishes the invention from the cited references.

Accordingly, it is respectfully submitted that the claims, as presented, overcome the Official Action's rejections under section 102. Withdrawal of the anticipation rejection of claim 1 and claims depending therefrom is thereby respectfully requested.

Substantive Issues - Section 103

The Official Action rejected claims 9, 10, and 17-20 under 35 USC 103(a) as being unpatentable over LIND in view of Dilday et al. (US 2003/0132300; "DILDAY").

The Official Action rejected claims 11 and 12 under 35 USC 103(a) as being unpatentable over LIND in view of Pentz et al. (US 6,471,127; "PENTZ").

The Official Action rejected claims 4, 10, and 17-20 under 35 USC 103(a) as being unpatentable over NISHIKAWA.

The Official Action rejected claims 11 and 12 under 35 USC 103(a) as being unpatentable over NISHIKAWA in view of Ross et al. (US 2005/0230485; "ROSS").

The Official Action rejected claims 14-15 under 35 USC 103(a) as being unpatentable over NISHIKAWA in view of Luu (US 6,978,940; "LUU").

Responsive to the foregoing rejections under section 103, it is respectfully submitted each of the claims depending from amended claim 1 are patentable over the cited references at least for depending from a patentable parent claim, as set forth above as to the rejection under section 102.

In particular, the Official Action asserts that one of skill would have modified LIND with PENTZ to include a key-ring hole in the optical disc through which a key-ring may be passed.

Applicant respectfully disagrees. As stated above, an optical disk is certainly not configured to receive and pass through a key-ring without being destroyed, and hence the proposed modification would clearly render the optical disk of LIND unsuitable for its intended purpose.

For example, the spindle hole for an optical disk or any disk-based media must be in the center of the recordable disk medium or else no reading apparatus will properly read or write from the disk, and another hole introduced through any part of an optical disk media would irreversibly damage the recorded data.

Furthermore, it is well known in the art that optical disk media are easily damaged by exposure to scratches, nicks, and strikes to which elements on a key-ring would be routinely exposed. In other words, one of skill would be highly motivated not to make a compact disk medium part of a key-ring. Even if the key-ring had no other elements than the compact disk, it would have been clear to one of skill that the use of the disk with a key-ring would place the disk in an unsuitable environment unacceptably likely to damage the disk. Of course, were a user to share the key-ring space with other elements, e.g. keys, the disk would certainly become scratched and irreversibly damaged.

Any person having ordinary skill in the art would readily recognize the unsuitability of this combination. Further, LIND fails to teach either of carrying visual information, as stated by the Official Action. Accordingly, it is respectfully submitted that the proposed combination fails to render obvious the features required by, for example, amended claim 1.

The Official Action also asserts that one of skill would have modified the microcircuit card as taught by NISHIKAWA with ROSS.

In response, it is firstly noted that NISHIKAWA fails to teach the token as recited by amended claim 1, as set forth above. The Official Action offers element 11B of Figure 21A as teaching a token. As stated above, NISHIKAWA teaches element 11B as an IC carrier, and there is no teaching or suggestion that this IC carrier includes visual information (column 16 line 8 to column 17 line 48).

Furthermore, one of skill would not have modified element 11B to have a hole suitable for a key-ring as such a hole would most likely damage the IC module 12B.

NISHIKAWA teaches IC carrier 11B attached to sheet frame 13 to be separated from frame 13 through peripheral slits 17A and 17B. One of skill clearly understand based on the dimensions of the carrier (column 1, lines 17-22) that there is no room for a hole configured to receive a key-ring such that the token may be carried by the key-ring. On the contrary, such a hole, if not directly impacting the IC module 12B, would certainly weaken the substrate 11B to cause it to split, irreversibly damaging the fragile electronics in the IC module 12B (see, e.g., column 1, lines 37-40).

Further, as with a compact disk, one of skill would readily understand that a key-ring is an unsuitable environment

for a delicate IC module such as that taught by NISHIKAWA as element 12B (column 1, lines 37-40). The IC module of NISHIKAWA is configured for insertion into a mobile phone in order to activate same (column 1, lines 24-30). Hence, one of skill in the art would recognize absolutely no motivation to modify this tiny element with a key-ring hole as proposed, and indeed be discouraged from making such a combination due to the risk introduced by the structural weakness such a large hole would introduce to such a tiny structure.

It is further respectfully submitted that none of the references as cited by the Official Action teach all the features as recited in amended claim 1. Hence even were one of skill to modify the references as proposed in the Official Action, the combination would fail to lead the skilled person to the invention as recited.

Based on all the foregoing statements, it is respectfully submitted that claim 1 is patentable over the references cited in the Official Action.

It is further respectfully submitted that claims depending from claim 1 are patentable over the cited references at least for depending from a patentable parent claim.

In particular, none of the cited references teach or suggest the invention as recited in the new dependent claims 24-28.

It is further respectfully submitted that new independent claim 21-23 are also patentable at least for the reasons set forth above.

For example, each of claims 21 and 23 recite the feature of the hole configured to receive the key-ring.

Claim 22 recites a token precut in the body so as to be adjacent to the microcircuit card and extending to a single corner only of the body.

At least these features recited in the new independent claims, as stated above, are neither taught nor suggested by the cited references.

Reconsideration and allowance of the claims are respectfully requested.

From the foregoing, it will be apparent that Applicant has fully responded to the October 24, 2008 Official Action and that the claims as presented are patentable. In view of this, Applicant respectfully requests reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, the Examiner is invited to telephone the attorney for Applicant at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

Charge the fee of \$220 for the one independent claim added herewith to our credit card.

Charge the fee of \$104 for the two claims of any type added herewith to our credit card.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- ☒ - a Replacement Sheet for Figure 2 of the drawings